

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 2, 3, and 18-22 are requested to be cancelled.

Claims 1, 8, 12, and 17 are currently being amended.

Claims 25-31 are being added.

After amending the claims as set forth above, claims 1, 4-17, and 23-31 are now pending in this application, of which claims 1, 8, 12, and 17 are independent.

Claim Rejections – 35 U.S.C. § 102 (Basic)

In Section 2 of the Office Action, the Examiner rejected claims 1, 4-5, 8-10, 12-17, 19, and 23 as being anticipated by U.S. Patent No. 6,271,765 (“King”) under 35 U.S.C. § 102. The Examiner stated that King discloses all of the elements of claims 1, 4-5, 8-10, 12-17, 19, and 23.

King does not identically disclose the combination of elements recited in independent Claims 1, 8, 12, and 17. King shows a system that passively (i.e. automatically) transmits signals based on location. See, e.g., King at 1:6-7. In particular:

Claim 1 (as amended) relates to a “wireless control system” and recites, in combination with other elements, a “control circuit ... configured to ... command the transmitter circuit to transmit a wireless control signal associated with at least one of the user actuatable input devices *when the at least one user actuatable input device is actuated*, the control circuit being configured to provide the wireless control signal based on the current location,” which is not identically disclosed in King.

Claim 8 (as amended) relates to a “method of training a wireless control system” and recites, in combination with other elements, “automatically storing data associated with a signal

for controlling a remote electronic system transmitted in proximity to the wireless control system,” which is not identically disclosed in King.

Claim 12 (as amended) relates to a “method of transmitting a wireless control signal” and recites, in combination with other elements, a “comparing the current location of the vehicle with a plurality of stored locations associated with the user input device,” which is not identically disclosed in King.

Claim 17 (as amended) relates to a “transmitter” and recites, in combination with other elements, a “a control circuit configured to command the transmitter circuit to transmit a plurality of wireless control signals in response to an actuation of a user-actuatable user input device, each wireless control signal containing a different control data message, the plurality of wireless control signals sent in response to the actuation of the input device being based on a location of the transmitter,” which is not identically disclosed in King.

Accordingly, Claims 1, 8, 12, and 17 (and corresponding dependent Claims 1, 4-5, 9-10, 13-16, and 23) are not anticipated by King under 35 U.S.C. § 102 and are patentable.

Claim Rejections – 35 U.S.C. § 103(a)

Claims 6, 7, and 11

On page 9 of the Office Action the Examiner rejected Claims 6, 7, and 11 as being obvious over U.S. Patent No. 6,271,765 (“King”) in view of U.S. Patent No. 5,646,701 (“Duckworth”) under 35 U.S.C. § 103(a).

The examiner rejected claims 6, 7, and 11 over King as discussed for claims 1 and 8 above, and further in view of Duckworth. As discussed above:

Claim 1 (as amended) relates to a “wireless control system” and recites, in combination with other elements, a “control circuit ... configured to ... command the transmitter circuit to transmit a

wireless control signal associated with at least one of the user actuable input devices *when the at least one user actuable input device is actuated*, the control circuit being configured to provide the wireless control signal based on the current location,” which is not identically disclosed in King.

Claim 8 (as amended) relates to a “method of training a wireless control system” and recites, in combination with other elements, “automatically storing data associated with a signal for controlling a remote electronic system transmitted in proximity to the wireless control system,” which is not identically disclosed in King.

Duckworth also fails to teach these elements of claims 1 and 8 (as amended) that are not taught in King. Moreover, nothing in King or Duckworth alone or in the combination of Duckworth and King suggests these elements that are not taught in King or Duckworth.

Claims 1 and 8 (and claims 6, 7, and 11 which depend from claims 1 and 8), considered as a whole, would not have been obvious in view of Duckworth and/or King. The Applicants respectfully request withdrawal of the rejection of Claims 6, 7, and 11 under 35 U.S.C. § 103(a).

Claim 24

On page 11 of the Office Action the Examiner rejected Claim 24 as being obvious over U.S. Patent No. 6,271,765 (“King”) in view of U.S. Patent No. 6,091,343 (“Dykema”) and U.S. Patent No. 5,583,844 (“Wolf”) under 35 U.S.C. § 103(a).

The examiner rejected claim 24 over King as discussed for claim 17 above, and further in view of Dykema and Wolf. As discussed above:

Claim 17 (as amended) relates to a “transmitter” and recites, in combination with other elements, a “a control circuit configured to

command the transmitter circuit to transmit a plurality of wireless control signals in response to an actuation of a user-actuatable user input device, each wireless control signal containing a different control data message, the plurality of wireless control signals sent in response to the actuation of the input device being based on a location of the transmitter,” which is not identically disclosed in King.

Dykema and Wolf both also fail to teach this element of claim 17 (as amended) that is not taught in King. Moreover, nothing in King, Dykema, or Wolf alone, or in the combination of Dykema, Wolf, and King suggests these elements that are not taught in the references alone.

Moreover, the “transmitter” recited in independent Claim 17 (as amended) would not have been obvious in view of King, alone or in any proper combination with Dykema and/or Wolf under 35 U.S.C. § 103(a). King alone or in any proper combination with Dykema and/or Wolf does not disclose, teach or suggest a “transmitter” comprising, in combination with other elements, “a second of the switches causes the transmitter to send second and third wireless control signals”. To transform the transmitters of King and Dykema and the system of Wolf into a “transmitter” (as recited in Claim 17) would require still further modification, and such modification is taught only by the Applicants’ own disclosure. The suggestion to make the combination of King, Dykema, and Wolf has been taken from the Applicants’ own specification (using hindsight), which is improper.

Claim 24 (which depends from claim 17), considered as a whole, would not have been obvious in view of Dykema, Wolf, and/or King. The Applicants respectfully request withdrawal of the rejection of Claims 6, 7, and 11 under 35 U.S.C. § 103(a).

Amendments to the Claims and New Claims

All of the amendments and additions made to the claims are supported by the specification as filed and do not add new matter.

Conclusion

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By 

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